

**REMARKS**

Applicant has carefully reviewed the above-noted Office Action, and herein amends the present Application. Reconsideration and favorable action is respectfully requested.

Applicant provisionally elects the Species C, set forth in the Office action as corresponding to Figure 4, showing a suspension system 142 having strut 12 and controller 150. Claims 8-11, and Claims 12-15, as amended herein, are apparatus claims which read on the system of Figure 4. Claims 17-20 are method claims which read on the suspension system of Figure 4, designated as Species C.

Applicant respectfully traverses restriction of apparatus Claims 1-7 and method Claim 16 from restriction, and requests consideration of Claims 1-7 and Claim 16 in the present application with Claims 8-11, 12-15 and 17-20. Claims 1-7 and Claim 16 read on Species A, set forth Figure 1.

Applicant first notes that the strut 12 of Species A, set forth as corresponding to Figure 1, is shown as part of the suspension system 142 of Figure 4, set forth as corresponding to Species C. Applicant further notes that control of the effective pressure of the compressible fluid within the primary fluid chamber of the strut set forth in Figure 1 is also included as a limitation in Claims 1-7, being set forth in lines 16-21 of Claim 1, which sets forth a controller, such as the embodiment of the controller 150 for the control system 142 of Figure 4.

Regarding Species A-F set forth in the above-noted Office Action, Applicant notes the Species B, set forth in the Office Action as corresponding to Figure 2, shows an alternative head for a strut such as that shown in Figure 1. Species D, set forth in the Office Action as corresponding to Figure 5, shows further details of the control system of Figure 4, being an embodiment thereof, and also incorporating the strut 12 of Figure 1. Species E, set forth in the Office Action as corresponding to Figure 10, show application of a suspension system for supporting a sprung mass, such as Species C, set forth as corresponding to Figure 4, and Species D, set forth as corresponding to Figure 5, which incorporate the strut of Species A, set forth as corresponding to

Figure 1. Similarly, Species F, set forth in the Office Action as corresponding to Figure 11, shows more detail of a suspension system supporting a sprung mass, such as the suspension systems of Species C, set forth as corresponding to Figure 4, and Species D, set forth as corresponding to Figure 5, which incorporate the strut of Species A, set forth as corresponding to Figure 1.

Applicant respectfully requests withdrawal of the restriction and election requirement, and requests that Claims 1-20 proceed to examination and allowance.

The U.S. Patent & Trademark Office is hereby authorized to charge any fees due or credit any overpayments to Deposit Account No. 502112/DTIN-27,616US for the firm CHAUZA & HANDLEY, L.L.P.

Respectfully submitted,

CHAUZA & HANDLEY, L.L.P.  
Attorneys for Applicant(s)



Mark W. Handley, Esq.  
Registration No. 36,821

MWH/lv

CHAUZA & HANDLEY, L.L.P.  
P.O. Box 140036  
Irving, Texas 75014  
Tel: (972) 518-1713  
Fax: (972) 518-1777

August 21, 2006